IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 14084 of 2004(B)

PETITIONER:

THANKMANY, W/O.RAJAMONY ALIAS BENEDICT,
130 CANAL VEEDU P.O. PUTHENTHOPE SOUTH,
KADINAMKULAM.

BY ADV. SRI.R.T.PRADEEP.

RESPONDENTS:
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1. **THE SECRETARY,**
   KADINAMKULAM GRAMA PANCHAYATH.

2. **THE ASSISTANT ENGINEER,**
   P.W.D.(ROADS), KAZHAKKUTTOM.

BY ADV. SRI.R.S.KALKURA,
GOVERNMENT PLEADER SRI. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.14084/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF IDENTITY CARD OF PETITIONER DTD. 26/06/1997.

EXT.P.2: COPY OF THE RELEVANT PAGE OF RATION CARD OF PETITIONER.

EXT.P.3: COPY OF THE POSSESSION CERTIFICATE DTD. 03/01/2001 ISSUED TO THE PETITIONER.

EXT.P.4: COPY OF THE NOTICE DTD. 15/04/2004 ISSUED BY R.1.

EXT.P.5: COPY OF THE NOTICE NIL DTD. ISSUED BY R.2.

EXT.P.6: COPY OF THE REPRESENTATION DTD. 22/04/2004 SUBMITTED BY PETITIONER BEFORE THE HONOURABLE MINISTER, LOCAL SELF GOVERNMENT.

RESPONDENT'S EXHIBITS:

EXT.R1.A: COPY OF THE ASSESSMENT REGISTER MAINTAINED BY THE PANCHAYAT IN RESPECT OF WARD NO. X.

EXT.R1.B: COPY OF THE VOTERS LIST IN RESPECT OF WARD NO. XIII SHOWING BUILDING NO. 130.

EXT.R1.C: COPY OF THE COMPLAINT FILED BY SRI. BABY.

EXT.R1.D: COPY OF THE PHOTOGRAPHS OF THE NEWLY CONSTRUCTED BUILDING.

EXT.R1.E: COPY OF THE PHOTOGRAPHS OF THE NEWLY CONSTRUCTED BUILDING.

EXT.R1.F: COPY OF THE REPORT PREPARED FILED BY THE R.1.

EXT.R2.A: A ROUGH SKETCH SHOWING THE LINE OF THE NEWLY CONSRUCTED SHOP THE P.W.D. ROAD AND THE PROPOSED FOOT BRIDGE AND THE RESIDENIAL BUILDING NO. 130 IN WARD NO. 13 OF KADINAMKULAM GRAMA PANCHAYAT.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

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W.P.(C)NO.14084 OF 2004

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Dated this the 28th day of March 2007

JUDGMENT

Petitioner is aggrieved by Exts.P4 and P5 notices whereby the she has been directed to demolish the alleged unauthorised construction made by the petitioner. Learned Government Pleader referring to the counter affidavit submits that the bunk shop constructed by the petitioner was in violation of the rules and hence the same was to be demolished. Petitioner may submit her objection, if any, before the first respondent, Secretary within a period of one month from today in which case the first respondent will consider the matter with notice to the petitioner and pass appropriate orders within another three months. Interim order dated 5.7.2004 will continue till such time.

KURIAN JOSEPH, JUDGE

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